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MAR 18 2002

NOTICE OF APPEAL TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES **GROUP 1600**

IN RE APPLICATION OF: Whitaker, David W.
 SERIAL NO: 09/490,476
 FILED: January 24, 2000
 FOR: HYBRID MAIZE PLANT & SEED 34G13
 Group Art Unit: 1638
 Examiner: Mehta, Ashwin D.
 Attorney Docket No: P04350US0

OFFICIAL

Assistant Commissioner for Patents
 Washington, D.C. 20231

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated December 18, 2001 rejecting the following claims: 1-32.

The items checked below are appropriate:

- A check in the amount of \$320.00 is enclosed.
- The Commissioner is hereby authorized to charge the fees in the amount of \$320.00 for Notice of Appeal to Deposit Account No. 26-0084.
- The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 26-0084.
- A petition for an extension of time under 37 CFR 1.136(a) is enclosed.

CERTIFICATE OF FACSIMILE TRANSMISSION (37 C.F.R. § 1.6(a)(3))

I hereby certify that this NOTICE OF APPEAL TO THE BOARD OF PATENT APPEALS AND INTERFERENCES is being transmitted via facsimile to: Technology Center 1600 (Art Unit 1638) 703-872-9302, Attn: Assistant Commissioner for Patents, Washington, D.C. 20231, on this 18th day of March, 2002.

H.S.N.

Heidi S. Nebel

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MCKEE, VOORHEES, & SEASE

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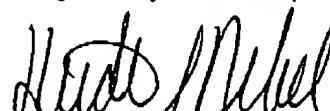
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(One additional copy of this Notice is enclosed herewith).

GROUP 1600

Respectfully submitted,

 **OFFICIAL**

Heidi S. Nebel, Reg. No. 37,719

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